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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/272,069	03/18/1999	DAVID I.J. GLEN	0100.9900340	5165

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EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT PAPER NUMBER

2672

DATE MAILED: 06/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/272,069

Applicant(s)

GLEN, DAVID I.J.

Examiner

Motilewa A. Good-Johnson

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 March 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 10-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 14, 17 is/are rejected.
- 7) ☒ Claim(s) 15, 16 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This office action is in response to the following communications: application, filed on 03/18/1999; Amendment A, filed on 12/07/2001; Election filed on 03/28/2002.

**This action is made final.**

2. Claims 1-9 and 14-18 are pending in this application. Claims 1, 6-9, 14 and 17 are independent claims. Claim 7 has been amended.

3. The title of the application is "Method and Apparatus for Configurable Gamma Correction in a Video Graphics Circuit". (as originally filed).

***Election/Restrictions***

4. Claims 10-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected group, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 6.

5. This application contains claims 10-13 drawn to an invention nonelected with traverse in Paper No. 6. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-9, 14 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Mukai, U.S. Patent Number 5,359,702, 10/1994, 345/600.

As per independent claim 1, Mukai discloses a plurality of lookup tables (FIG. 1 '44'; col. 5, ll. 28-33), each table provides a set of output data in response to received input (col. 5, ll. 28 et seq.) and selecting output data in one of the tables (col. 5, ll. 43 et seq.).

As per dependent claim 2, Mukai discloses the tables include a pass through function that provides the received input data as the set of output data (col. 5, ll. 35 et seq.).

As per dependent claim 3, Mukai discloses each of the plurality of table's stores a plurality of set of output data (col. 5, ll. 28-33), each set of output data corresponds to a gamma correction curve for a corresponding gamma value of the plurality of gamma values (col. 5, ll. 28 et seq.), the correction curve maps values of the received input to output values (col. 5, ll. 20 et seq.).

As per dependent claim 4, Mukai discloses pixel data is provided as received input to each of the gamma correction tables (FIG. 1), the table selector comprising a multiplexor (FIG. 1 '26') that receives the sets of output data from the plurality of gamma correction lookup tables (col. 7, ll. 45 et seq.), a set of output data is selected based on the gamma selection (col. 6, ll. 28 et seq.).

As per dependent claim 5, Mukai discloses the gamma correction tables are memory structures addressed by the received input data (col. 7, ll. 45 et seq.).

As per independent claim 6, Mukai discloses the tables storing plural gamma correction curves (col. 5, ll. 28-33), the plurality of sets of gamma corrected data includes data for each of the plurality of correction curves (col. 5, ll. 28 et seq.; FIG 5a). The rejection as applied to independent claim 1 is included herein.

As per independent claim 7, Mukai discloses the table receives input signals that select a set of data from the table (col. 5, ll. 10-20, 28-34), the first portion of the signal selects a particular correction curve (col. 5, ll. 28-34) and the second portion of the signal selects the corrected data from the particular curve (col. 5, ll. 34 et seq.).

As per independent claim 8, Mukai discloses selecting output data in one of the tables (col. 5, ll. 28 et seq.). The rejection as applied to claim 7 is included herein.

As per independent claim 9, Mukai discloses storing a plurality of precomputed gamma corrected data sets corresponding to gamma curves (col. 5, ll. 55-56; col. 5-6, ll. 65-6) and selecting output data in one of the tables (col. 5, ll. 28 et seq.).

As per independent claim 14, Mukai discloses a frame buffer (FIG. 1 '38'). The rejection as applied to independent claim 9 is included herein.

As per independent claim 17, Mukai discloses receiving pixel data (FIG. 1 '12').  
The rejection as applied to independent claim 9 is included herein.

***Allowable Subject Matter***

8. Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

9. Applicant's arguments filed 12/07/2001 have been fully considered but they are not persuasive.

Applicant argues that Mukai fails to teach or suggest a table selector, which selects output data corresponding to one of the plurality of lookup tables based on gamma selection information. Mukai discloses in col. 2, ll. 11 et seq., that it may be possible to provide a plurality of image output devices having different gamma characteristics and further to select one of such output devices with a medical apparatus. Applicant further argues that Mukai fails to disclose a gamma table selector and a multiplexor. Mukai discloses in col. 4, lines 24 et seq., electronic switches and supplying the signals through a control unit. Applicant argues that Mukai fails to disclose gamma correction table, which are memory structure addressed by the input data. Mukai discloses in col. 5, lines 1-5, gamma correcting table memory.

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Motilewa A. Good-Johnson  
Examiner  
Art Unit 2672

mgj  
June 13, 2002



**MICHAEL RAZAVI**  
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